

**TOWN OF HAYMARKET, VIRGINIA
CHARTERED 1799
COUNTY OF PRINCE WILLIAM**

**MINUTES FROM JOINT PUBLIC HEARING
FEBRUARY 6, 1995**

The Joint Public Hearing of February 6, 1995 on the rezoning application from R-1 to B-1 for the property located at 14711 and 14741 Washington Street in the town of Haymarket on the south side of Washington Street, parcel 19 consisting of 1.5797 acres and parcel 20 consisting of 6.3935 acres owned by John M and Jeannette E. Rohrbaugh. The public hearing was opened by Mayor Kapp at 7:24 p.m.

Mayor Kapp asked for citizens in favor of the rezoning to speak. After three askings no one came forward to speak for the rezoning.

Mayor Kapp asked for citizens opposed to the rezoning to speak. After three askings no one came forward to speak against the rezoning.

Mayor Kapp closed the public hearing at 7:26 p.m.

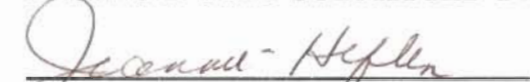
Town Council Members Present:

Jack Kapp, Mayor
Steve Bean, Vice Mayor
Terri Freeborn
Nancy Bailey
James Shepard
Ron Hancock
Debbie Johnson

Planning Commission Members Present:

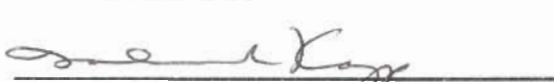
Lyssa Whitfield, Chairman
Robert Stalker
Mary Lou Scarbrough
Nancy Bailey, Town Council Liaison

RESPECTFULLY SUBMITTED BY:



Jeannie Heflin, Town Clerk

APPROVED BY:



John R. Kapp, Mayor

TOWN OF HAYMARKET, VIRGINIA 22069
Chartered 1799
County of Prince William

HAYMARKET TOWN COUNCIL MEETING - FEBRUARY 6, 1995

MAYOR

John Kapp

COUNCIL MEMBERS

Steve Bean, Vice Mayor

Nancy Bailey

Ron Hancock

Debbie Johnson

Terri Freeborn

James Shepard

The February 6, 1995 meeting of the Haymarket Town Council was called to order at 7:38 p.m. by Mayor Kapp. With all members present, Mayor Kapp led the council in prayer and the pledge to the American flag. Councilman Hancock moved to dispense with reading of the minutes and approval of the minutes with corrections noted. Motion seconded by Councilman Shepard. With no further discussion the motion carried by a unanimous vote.

TREASURERS REPORT

The treasurers report was summarized and read by the Treasurer. Mayor Kapp noted we are in the process of moving the operating account from Signet Bank to First Virginia Bank. He also noted there was a \$50,000 certificate of deposit purchased at Fairfax Bank & Trust in Gainesville.

UNPAID BILLS

Councilwoman Bailey moved to approve \$2268.18 in unpaid bills, seconded by Councilman Hancock. The motion carried by a unanimous roll call vote.

POLICE REPORT

With the absence of Sgt. Tatum, Vice Mayor Bean reported there was no urgent business.

OLD BUSINESS

First Virginia Bank - sign permit Mayor Kapp introduced Joe Coulson of Dowling Company who is requesting approval of an addition to the First Virginia Bank sign. Councilwoman Freeborn moved to approve the request pending Planning Commission, ARB and Building Inspection approval. Seconded by Councilman Shepard. With no further discussion the motion carried by a unanimous vote.

Greenhill Crossing - John Manganello of H/P Companies stated VDOT approvals have been received on sections 1 and 8. Mr. Manganello is seeking approval of section 8 tonight. Site plans do not show brick sidewalks and board on board fencing on east and south sides. H/P agreed to include these. It was stated John Rohrbaugh is now happy with the project after the

meeting with Mayor Kapp, John Elkins & H/P. Section 1 was presented to the Council, John Elkins stated the new plans address any and all of the concerns BD&E had.

Mayor Kapp asked for any and all questions re: sections 1 & 8. Councilwoman Bailey asked if all approvals were in. Mayor Kapp assured the Council all approvals are in and all is in order. Councilwoman Bailey moved to approve sections 1 & 8 since all approvals are in, seconded by Councilwoman Freeborn. With no further discussion the motion carried by a unanimous vote.

Section 2 (remainder of 30 acres in back). Mayor Kapp read letter presented to Council by John Manganello of H/P Companies which is a request to allow H/P to begin earth work, i.e., taking fill dirt from section 2 for sections 1 & 8 & 4 when approved (knock down hill and grade using and stockpiling fill). H/P would use erosion control measures already approved. They would just like to start earth work and plan to stockpile dirt from site only. John Manganello agreed to amend letter of February 6, 1995 to (first paragraph) "grade and stockpile materials on site from section 2 to be used on future Greenhill Crossing sections" (amendment underlined).

Councilwoman Bailey moved to approve H/P request for section 2 with noted amendment seconded by Vice Mayor Bean. With no further discussion the motion carried by unanimous vote.

Mr. Bear asked if H/P intends to keep the lake in the field. Mr. Bear was advised that the lake would remain as it is wetlands.

Bond Agreement - sedimentation and erosion agreement - use county forms since they are inspecting - basically a performance bond - no maintenance needed.

Rohrbaugh Rezoning R1-B1 Mr. Rohrbaugh presented a sketch of the commercial project. He stated the sketch is based on the wishes of the townspeople in respect to brick sidewalks, park setting and the Williamsburg style.

Mayor Kapp met with Land Design people who are doing street scape and landscape for H/P. They are willing to work with us with our desires.

Councilwoman Bailey stated the Planning Commission recommended approval of Rohrbaugh rezoning. Councilman Hancock moved to approve Rohrbaugh rezoning R-1 to B-1, since there was no opposition at the public hearing and all adjoining landowners were notified, seconded by Vice Mayor Bean. Councilwoman Bailey asked if we have proof of notification. Mrs. Rohrbaugh has notified and will get a copy of postal certificates to the Town Clerk for the file. With no further discussion the motion carried by unanimous vote.

↓ Audit Jan Thompson of Thompson & Greenspon referred to the letter of October 1994, she explained they did not do an actual audit. The work they performed was a review of procedures. She went over the recommendations made, i.e., deposits to bank be made locally to provide more frequent banking. She stated the major problem they found was lack of documentation. Ms. Thompson stated that we could not get a favorable opinion if we wanted a real audit due to cash

receipts being difficult to follow through, i.e., payment for law enforcement systems payment 5/94 payment not received. Control work needs to be done. Vice Mayor Bean stated that was probably one of the checks just deposited that was found recently in a money bag that had been left in the file cabinet by the former Town Clerk. (Upon checking we found that was the case and the funds had now been deposited.)

Cash documentation concerning Sgt. Tatum's cash insurance benefit. Ms. Thompson stated after looking further into the Code of Virginia it was found that these payments did not have to be reported as income to Sgt. Tatum if the town pays the amount directly to his insurance company, otherwise, this money has to be reported as regular income and tax liabilities paid.

Cash receipts and deposits - recommend banking locally for expedient banking. Biggest discrepancy is \$1500. Bank balance out prior to 1995. There is an error somewhere in the balance. Bank reconciliation recommended on a monthly basis.

Real Estate and Property Tax - random selection came out fine.

Sales Tax rolling stock town utility tax came out fine. A little trouble on documentation - possibly keep copy of check and attach to deposit slip to make tracking less difficult.

Law Enforcement Assessment - only three payments recorded for the year and four were due. (Upon further checking - check was found in money bag and was deposited on 1/9/95.)

Business license - no difficulty found except tracing and tracking.

Town Tags - ditto

Fines - could not be tracked since Prince William keeps the records.

Ms. Thompson said basically need better documentation.

Councilwoman Freeborn stated most grants require an audit and she asked Ms. Thompson how far we are from an audit. Ms. Thompson could not give a clean opinion at this point. The bulk of twelve months has to be auditable for an audit.

NEW BUSINESS

Park Authority - Mayor Kapp introduced Rick Berry, Gainesville District representative on the Park Authority board. Mr. Berry updated the Council on projects. He read a copy of the mission statement to Council. The role of the board member is to record needs of citizens to Board of Supervisors and Park Authority Board. 2.3% of the county budget is for 40 parks in the system. The FY'96 budget includes \$6.3 million for park upkeep and projects. Mr. Berry informed the Council the board meetings are the 2nd and 4th Wednesday of the month at 7:30 p.m. at the Helwig Park. The first few minutes of the meetings are open to comment from the public.

Business Licenses - Alan Gossom presented Council with license for Vista Auto Traders who

wanted a name change to Vista Auto Imports, Ltd. and the owner name changed from the wife to husband. This had been approved at the January meeting. Vice Mayor Bean moved to approve this license, seconded by Councilwoman Freeborn. With no further discussion motion carried by a unanimous vote.

Sign Permits - Greenhill Crossing sign application was passed on to the Planning Commission, who will pass on to ARB. Motion to approve subject to approval by PC and ARB made by Councilman Hancock, seconded by Councilman Shepard. With no further discussion motion carried by a unanimous vote.

No building permits.

Wolfe Auction - application for February 24th auction. Mayor Kapp recalled Wolfe Auction could not get a business license since they did not have the dates of the sales. They were approved for a special use permit for four sales at the beginning.

Council is not happy with the litter left after the auctions. Vice Mayor Bean says they are good for business in town. He stated he didn't know why Wolfe does not use the old auto sales office when they are here and get rid of the trailers. Councilwoman Freeborn stated we do not benefit from the \$150 permit from the auction considering the trash left behind and the police required to handle traffic. Councilwoman Johnson moved to deny the special use permit, seconded by Councilwoman Bailey. Bean-yes, Bailey-yes, Hancock-no, Johnson-yes, Freeborn-yes, Shepard-yes. Motion carried 5/1. Town Clerk to notify Wolfe by certified letter to include they have thirty days to get rid of the trailer.

Town Clerk to also notify VDOT they have thirty days to move the trailer they have parked there.

Business License Application - Councilwoman Johnson gave a note to Council for Town Clerk suggesting the licenses are completely filled out.

Long Distance Telephone Service - tabled

Water in Town - Mayor Kapp advised Council John Sloper states we can get grant for water in town if the mean income of residents is \$29,072.80 (not including townhouse residents). We could run a survey ourselves and see if we can come close and if so, send to outside surveyor. Councilwoman Bailey to bring up to PC 2/7. Barring that, Mayor Kapp shared with Council that \$405,000 estimate we could put water in town except nothing north of Rt. 66 or west of Fayette Street. By eliminating Payne Lane, part of Hunting Path & part of Fayette St we could put water in Town for \$302,000 with a debt service of about \$1900 per month. Mayor Kapp and John Elkins stated Water Authority has already approved water and sewer at Catharpin Rd. North of 66. Mayor Kapp suggests putting water in at about \$302,000 after fine tuning and have Jim Allen, Farmers Home come and talk to us. Vice Mayor Bean suggests we have a meeting with Sloper, Allen & Councils. Council thinks we should contact owners and get in on bid with H/P

and may get a better price.

Vice President of FB&T offered to set up a meeting for Mayor Kapp with Mr. Peterson.. Mayor Kapp to solicit contributions. Mayor Kapp to contact Mr. Allen and John Sloper for meeting on Thursday, March 2 and 7:00 special meeting or Wednesday March 8th. Mayor Kapp will talk to Costello, 84 Lumber, Sheetz, Gravette (Payne Property). Bunny Bolt offered to draft letter to all business owners and property owners.

ISTEA Grant - Mayor Kapp brought back a sample successful grant application. We are asking for \$650,000 - \$200,000 for Phase I to be implemented by December 1996 from Fayette St. to Madison, brick sidewalks, lights, landscape, curb and gutter. John Elkins gave numbers for Mayor Kapp to work with. One thing not factored in was that H/P, Lyons & Rohrbaugh will do theirs. Programs to be initiated that Historical Commission Chairwoman Turner and Mayor Kapp spoke of were, like Manassas, with selling bricks for \$50.00 and street lights were sold at \$600 each with brass plaque. OR Virginia Power will install lights at no cost, however, for each the cost will be \$32.00 per light per month. We currently pay \$11.00 or \$12.00 per light. Councilman Hancock asked what happens to the poles in place now. Mayor Kapp spoke on how the lines are buried 5' deep with concrete and PVC. Mayor Kapp will get in touch with utility people. Vice Mayor Bean asked about gas street lights - they burn all the time. Occoquan opted not to go to gas lights. The power company said they would work with us to bury lines. Councilman Hancock asked if they could reroute the lines to the rear of properties. It was pointed out you would still have to cross the street with overhead lines. Virginia Power will not let us put a plug on poles for decorations if we get from them at \$32.00. Mayor Kapp states we could meter from here - cost analysis to come back to him. If grant comes in we can bury lines when water lines are dug.

Councilman Hancock questioned when we would hear from grant application. Mrs. Turner stated decision would be made in June '95. The next opening would be next January ('96). Mrs. Turner suggested getting in touch with Proctor to get a real good professional application prepared. She stated they said it usually takes three applications before acceptance.

FEMA - Mayor Kapp read letter from FEMA re: floodplain ordinance. Councilman Hancock moved to advertise a joint public hearing and have the town attorney review the sample floodplain ordinance from FEMA to make recommendations at the meeting. Public hearing set for 7 p.m. March 6, Monday. Attorney to check and call us 2/7 if they have record of floodplain ordinance. Seconded by Vice Mayor Bean. With no further discussion motion carried by a unanimous vote. *Note* Attorney sent a floodplain ordinance adopted by Council 11/89. Said ordinance was mailed to FEMA - who returned stating due to changes in 1991 we have to amend our ordinance.

Farmers Market - Mayor Kapp had a letter showing interest in a Farmers Market at the Town Hall. He contacted Trish Davis, Manassas Farmers Market and received a packet of information. The Council consensus was affirmative. Council approved Town Clerk to pursue.

Planning Commission - Liaison Councilwoman Bailey stated the PC denied Mullins Auto sign. They were advised.

Planning Commission to go over sign application forms.

Sign Ordinance - sent back to Council. PC suggested Council ask attorney to take a copy and mark it up with problem areas re: historic overlay.

Property Standard Ordinance - citing P 351 section II chapter 4 4-2. Maintenance 15.111. Wolfe Auction trash problem and traffic problem.

LDR - PC recommendation that PC & Council should meet with LDR before their (LDR) comprehensive plan Phase I is final. PC has had no input for new comprehensive plan update. Councilman Bailey talked to Uri and he quoted a fee of \$350.00 for two hours. Council gave Uri 'carte blanche' to complete list with no meeting included. Councilman Hancock questioned if we changed ideas if he could then up the fees. Councilwoman Freeborn says meeting with LDR may give us more information. Councilwoman Bailey says PC would meet without charging - Attorney Smith stated we can have no meeting without pay. LDR being paid \$2500. Vice Mayor Bean says Council should ask for a rough draft and we'll go over it. Councilwoman Bailey says she did not agree to it that way. Mayor Kapp asked Councilwoman Bailey to contact Uri and ask for a draft. Councilwoman Bailey reported Uri says meeting should be only two hours. Mayor Kapp said if TC and PC can have a rough draft we could be prepared for a joint meeting where the public can attend but not have input.

HISTORICAL COMMISSION - Mrs. Turner reported meeting February 4 was canceled due to inclement weather. She did report the brass plaques for three houses are being installed. At the next meeting they are to discuss the next three houses to be honored.

Keep Virginia Beautiful - Mrs. Turner reported the organization contacted her for the state fair where there will be community events - set up in tents, we are to bring talent and living history people.

Lafayette Day - Mrs. Turner reported the school will probably not be available so we'll have a picnic in the town park.

Journal Messenger - Year in review issue - Jnl Messenger selling block ads - you receive as much space free as you purchase space. Mrs. Turner's idea is to surround the town story with business card size ads of the local businesses. Mayor Kapp suggested listing the churches free of charge.

PWC Planning Commission - Mrs. Turner reported she attended a PWC Planning Commission meeting they have very few houses listed and it is difficult to get them registered.

Mayor pictures - Councilwoman Freeborn asked Mrs. Turner to get the dates for the mayor pictures as she has someone who offered to make the brass plaques free of charge.

ARB - did not meet in January and scheduled meeting for Monday February 13 at 7 p.m.

Newsletter - discussed whether to mail or hand deliver the newsletter. Also do we want to put questionnaire on the back. Vice Mayor Bean stated Mayor Kapp needed to address Christmas tree pick up for recycling information in newsletter. Everett Bean does not mind picking up if they will have them there for one pick up day.

Councilman Hancock suggested a packet for townspeople telling them about town tags, taxes, tree recycling, and put information in newsletter. Councilwoman Johnson stated someone in another jurisdiction raffled a gift to encourage responses to the newsletter. Mayor Kapp stated raffle is illegal. The Council decided by consensus to put the questions in newsletter and mail them this time and monitor results.

Councilwoman Freeborn stated the Council gives the Planning Commission too much to do, i.e., subdivision ordinance. Council needs to have work sessions to update the ordinance and then once drafted send to PC to make additions.

Councilwoman Johnson reviewed the insurance policies held by the Town. She stated they expire 1/7. Her recommendation was to keep them in force, we got quotes last time and they were not changed.

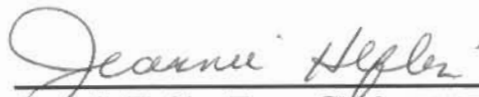
Vice Mayor Bean brought to the attention of Council the Robinson house next to the Baptist Church has a bunch of trucks in the front yard and a "for sale" sign up. Sgt. Tatum is to go up and tell him they have to be moved and cleaned up.

Alan Gossom's car dealers are not to have any vehicles on the lot left there due to liability. Councilwoman Freeborn stated there was a car left at the residence across the street from her. Car parking was not in the original deal.

Prince William Administrative Quarterly - available for reading by council. Lists County projects in the works and plans. There are also five boxes of FEMA and plenty of reading material on the mayors desk.


Meeting adjourned 10:58p.m.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED BY:



John R. Kapp, Mayor